

BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: 04/21/04

Division: Wastewater Issues

Bulk Item: Yes      No X

Department: Wastewater Issues

**AGENDA ITEM WORDING:**

Approval of resolution to transfer Block 2, Lots 11 & 12, Bay Point Amended Plat to the Florida Keys Aqueduct Authority (FKAA) for use as a wastewater treatment site and authorization for the mayor to execute deed.

**ITEM BACKGROUND:** This site was acquired by the BOCC for use as a wastewater treatment site in December 2002.

**PREVIOUS RELEVANT BOCC ACTION:** On October 16, 2002 the BOCC approved purchase of this site as a wastewater treatment site.

**CONTRACT/AGREEMENT CHANGES:** N/A

**STAFF RECOMMENDATIONS:** Approval of conveyance to FKAA.

**TOTAL COST:** N/A

**BUDGETED:** Yes N/A No     

**COST TO COUNTY:** N/A

**SOURCE OF FUNDS:** N/A

**REVENUE PRODUCING:** Yes      No X **AMOUNT PER MONTH**      **Year**     

**APPROVED BY:** County Atty X CA OMB/Purchasing X DB Risk Management X BC

**DIVISION DIRECTOR APPROVAL:**

James L. Roberts, County Administrator

**DOCUMENTATION:** Included X To Follow      Not Required     

**DISPOSITION:**     

**AGENDA ITEM #** my



# Florida Keys Aqueduct Authority

Post Office Box 1239  
1100 Kennedy Drive  
Key West, Florida 33041-1239  
Telephone (305) 296-2454  
www.fkaa.com

John M. Koenig, Sr.  
Chairman  
Key West

Mary L. Rice  
Vice-Chairman  
Marathon

Harry E. Cronin  
Secretary/Treasurer  
Key Largo

Elena Z. Herrera  
Rockland Key

Rose Dell  
Big Pine Key

James C. Reynolds  
Executive Director

April 6, 2004

Ms. Kim Nystrom  
Land Authority  
1200 Truman Annex, Suite 207  
Key West, FL 33040

FAX to 305 295-5181

Dear Ms. Nystrom:

The Florida Keys Aqueduct Authority has awarded the contracts to proceed with construction of the wastewater systems on Baypoint and Conch Keys. The County has previously taken title to sites on these islands that will be used for wastewater facilities. The Florida Keys Aqueduct Authority would request that these properties now be transferred into the ownership of the Florida Keys Aqueduct Authority, as we proceed with construction.

It is our understanding that these items could be placed on the Commission's April agenda. We appreciate your assistance on this matter, if you have any questions please contact Kirk Zuelch at 305 296-2454 ext. 203.

Sincerely,  
FLORIDA KEYS AQUEDUCT AUTHORITY

  
Jim Reynolds  
Executive Director

cc: Suzanne Hutton

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, AUTHORIZING A TRANSFER OF REAL PROPERTY TO THE FLORIDA KEYS AQUEDUCT AUTHORITY FOR PURPOSES OF ESTABLISHING A WASTEWATER TREATMENT FACILITY ON SADDLEBUNCH KEYS.**

WHEREAS, the County Commission recognizes that the issue of wastewater treatment is of substantial importance to the health and welfare of the residents of Monroe County; and

WHEREAS, the Florida Keys Aqueduct Authority has applied for the transfer of property on Saddlebunch Keys for the establishment of a wastewater treatment facility; and

WHEREAS, Monroe County has surplus real property on Saddlebunch Keys which is suited to use as the site of a wastewater treatment facility; and

WHEREAS, in accordance with F.S. 125.38, it is deemed in the interest of public health and welfare that said property be transferred to the Florida Keys Aqueduct Authority; now therefore

BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:

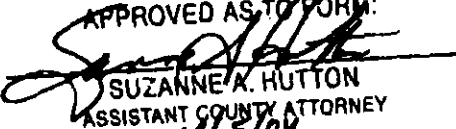
1. Shall transfer to the Florida Keys Aqueduct Authority that property described as:  
Lots 11 & 12, Block 2, Bay Point Amended Plat, in Govt. Lot 1 & 5, Section 8, And Govt. Lot 1, Section 17, Township 67 South, Range 27 East, Saddlebunch Keys, as recorded in Plat Book 3, page 75, of the Official Records of Monroe County, Florida.
2. The Mayor is authorized to execute a quitclaim deed transferring said property.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida at a regular meeting of said board held on \_\_\_\_\_, 2004.

Mayor Nelson \_\_\_\_\_  
Mayor Pro Tem Rice \_\_\_\_\_  
Commissioner McCoy \_\_\_\_\_  
Commissioner Neugent \_\_\_\_\_  
Commissioner Spehar \_\_\_\_\_

(seal)  
Attest: Danny L. Kolhage, Clerk

Board of County Commissioners  
of Monroe County Florida

By \_\_\_\_\_ Deputy Clerk  
By \_\_\_\_\_ Mayor/Chairperson  
MONROE COUNTY ATTORNEY  
APPROVED AS TO FORM:  
  
SUZANNE A. HUTTON  
ASSISTANT COUNTY ATTORNEY  
Date 4/5/04

This instrument prepared by,  
or under the direction of,  
Suzanne A. Hutton, Esq.  
FBN 336122  
Office of County Attorney  
P.O.Box 1026  
Key West, FL 33041-1026

### QUITCLAIM DEED

**THIS INDENTURE**, Made this \_\_\_\_\_ day of \_\_\_\_\_, 2004, by and between **MONROE COUNTY**, Party of the First Part, by and through the Board of County Commissioners of Monroe County, Florida, whose address is 500 Whitehead Street, Key West, Florida 33040, to **FLORIDA KEYS AQUEDUCT AUTHORITY**, Party of the Second Part, a special district of the State of Florida with offices at 1100 Kennedy Drive, Key West, Florida 33040.

### WITNESSETH

WHEREAS, Party of the First Part did heretofore acquire title to a parcel of property, on the Saddlebunch Keys, Florida, as recorded in Official Records Book 1854 at Page 809 of the Public Records of Monroe County Florida; and

WHEREAS, Party of the Second Part desires to obtain said parcel for purposes of establishing a wastewater treatment plant; and

WHEREAS, Party of the First Part deems a transfer to Party of the Second Part to be in the best interest of the residents of Monroe County; and

WHEREAS, prior to the adoption of the resolution authorizing said transfer of said property, there has been published at least once a week for two weeks, the proposed transfer of land, as required by F.S. 125.35;

NOW, THEREFORE, **THIS INDENTURE WITNESSETH**: That the Party of the First Part, in consideration of acceptance of title to said property by the Party of the Second Part for a public purpose, does hereby remise, release and quitclaim unto the Party of the Second Part, and assigns, forever, all the right, title and interest of the Party of the First Part to the property herein described all that certain land situate on Saddlebunch Keys, in Monroe County, Florida, to wit:

**Lots 11 & 12, Block 2, Bay Point Amended Plat, in Govt. Lot 1 & 5, Section 8, And Govt. Lot 1, Section 17, Township 67 South, Range 27 East, Saddlebunch Keys, as recorded in Plat Book 3, page 75, of the Official Records of Monroe County, Florida.**

TO HAVE AND TO HOLD, the said premises and the appurtenances thereof unto the Party of the Second Part.

IN WITNESS WHEREOF, the Party of the First Part has caused these presents to be signed in its name by its Board of County Commissioners acting by the Mayor of said Board, the day and year first above written.

(OFFICIAL SEAL)

ATTEST:

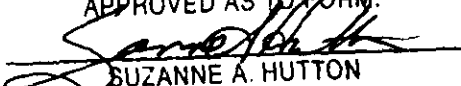
DANNY L. KOLHAGE

BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA

BY: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Mayor

MONROE COUNTY ATTORNEY  
APPROVED AS TO FORM:

  
SUZANNE A. HUTTON  
ASSISTANT COUNTY ATTORNEY  
Date: 4/05/04